



To: All Georgia Policy Issuing Agents of WFG National Title Insurance Company
From: WFG Underwriting Department
Date: January 19, 2023
Bulletin No.: GA 2023-01
Subject: DeKalb County, Georgia Courthouse Closed until April 3, 2023

Per the [Administrative Order from the Chief and Administrative Judge of the Superior Court of DeKalb County](#), Georgia, the DeKalb County Judicial Tower will be closed until April 3, 2023, due to a ruptured pipe that has caused extensive water damage. This emergency affects on-site real estate searches and recording. There is very high risk with these situations. We will continue to monitor the situation and keep you updated. During this time, please adhere to the following if you have a transaction in DeKalb County, Georgia and please note that these requirements are **subject to change**:

Please safeguard the original executed documents and e-record all documents to be recorded in DeKalb County as soon as possible.

Contact underwriting counsel for transactions over \$2,000,000.00. Please continue to obtain the necessary over the limit approval as required by your Agency Agreement.

WFG will insure title brought forward from a prior owner's title insurance policy along with a current title search dated within the last 30 days. Please contact underwriting counsel with any questions.

WFG will allow online searches and updates via GSCCCA.org back through 1987 as that is as far back as documents are available online for DeKalb County.

WFG currently will insure the GAP period for residential transactions provided there is an owner's policy to bring forward from. It appears the effective date for DeKalb County is currently 1/10/2023. We will continue to evaluate the GAP period. For ALL commercial please contact underwriting counsel to discuss.

Please obtain a Clerk's Office Closure Affidavit & Indemnity from the parties as this will be a high-risk time for possible unknown liens and encumbrances filed during the gap period ([see attached](#)). This should be incorporated into the requirements section of any title commitments issued during this time. The owner's policy will require an exception as stated:

"Any defect, lien, encumbrance, adverse claim, or other matter created by or arising out of the full or partial suspension of services of the Office of the Clerk of Court or other

recording office in the county where the Land is located, including but not limited to, (i) an inability to search the Public Records after (insert last effective date) or (ii) any delay in recordation of the deed or other instrument vesting title in the insured in the Public Records.”

All sellers in a sale transaction and all borrowers in a refinance must sign the standard Seller/Borrower Affidavit and Indemnity Agreement ([see attached](#)).

Review your closing instructions carefully. Notify the lender of any delay in recording and obtain written approval from the lender to proceed with closing and an acknowledgment from the lender that they understand the clerk’s office is not recording documents at this time. If the lender is unwilling to give written approval, then the transaction cannot close.

If you require probate or divorce documents during this time, please contact underwriting counsel to discuss options available. If you have any of the following, you must obtain underwriting approval to proceed:

1. Construction or renovation financing
2. A non-traditional or non-institutional lender
3. Judgements, liens, more than 2 mortgages, tax sales, a notice of bankruptcy, or notice of seizure against a seller or borrower.

We appreciate your patience and understanding during this time and are here and ready to assist to ensure your closings happen in a timely manner.

Thank you for all you do.

Your Georgia Underwriting Team

NOTE: This Bulletin is for the sole purpose of establishing underwriting positions and policies reflecting WFG National Title Insurance Company’s best business judgment. The information contained in this Bulletin is intended solely for the use of employees of WFG National Title Insurance Company, its title insurance agents and approved attorneys. Disclosure to any other person is expressly prohibited unless approved in writing by the WFG National Title Insurance Company’s Underwriting Department.

The Agent may be held responsible for any loss sustained as a result of the failure to follow the standards set forth above.